

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

TOMIKA MILLER and the ESTATE OF	:	
RAYSHARD BROOKS, by and through	:	
Tomika Miller, Administrator,	:	CIVIL ACTION
	:	
Plaintiffs,	:	FILE NO. 1:21-CV-03752-SDG
	:	
V.	:	
	:	
	:	
THE CITY OF ATLANTA, GEORGIA;	:	
and GARRETT ROLFE, <i>in his individual</i>	:	
<i>capacity,</i>	:	
	:	
	:	
Defendants.	:	

**NOTICE OF APPEAL**

**Please take notice that** Defendant GARRETT ROLFE appeals to the United States Court of Appeals for the Eleventh Circuit the September 29, 2022 Order entered by the U.S. District Court for the Northern District of Georgia denying in part and granting in part the Defendant's Motion to Dismiss with respect to the District Court's ruling on official immunity from the State law claims and qualified immunity from the federal claims (Doc. 57), and any issue inextricably intertwined with those decisions, pursuant to 28 U.S.C.A. § 1291. (*Mitchell v. Forsyth*, 105 S. Ct. 2806 (1985)).

This 10<sup>th</sup> day of October, 2022.

CAROTHERS & MITCHELL, LLC

*/s/ Thomas M. Mitchell*

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THOMAS M. MITCHELL

Georgia Bar No. 513597

Attorneys for Defendant Garrett Rolfe

1809 Buford Highway

Buford, GA 30518

(770) 932-3552

(770) 932-6348 FAX

Email: [thomas.mitchell@carmitch.com](mailto:thomas.mitchell@carmitch.com)

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	:	
	:	
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**CERTIFICATE OF SERVICE AND**  
**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1**

I certify that on this date, I electronically filed this Notice of Appeal with the Clerk of the Court using the CM/ECF system (which document was prepared using Times New Roman, 14-point type, one of the font and point selections approved by the Court in N.D. Ga. L. R. 5.1(C)), which will automatically send e-mail notification of such filing to the following attorneys of record:

Joshua S. Foster  
CITY OF ATLANTA DEPARTMENT OF LAW  
55 Trinity Avenue, S.W.  
Suite 5000  
Atlanta, Georgia 30303  
[jofoster@atlantaga.gov](mailto:jofoster@atlantaga.gov)  
*Counsel for Defendant City of Atlanta*

Nicholas A. Kinsley, Esq.

Phillip E. Friduss, Esq.

R. David Ware, Esq.

**HALL BOOTH SMITH, P.C.**

191 Peachtree Street, N.E. Suite 2900

Atlanta, GA 30303-1775

[nkinsley@bellsouth.com](mailto:nkinsley@bellsouth.com)

[pfriduss@hallboothsmith.com](mailto:pfriduss@hallboothsmith.com)

[dware@hallboothsmith.com](mailto:dware@hallboothsmith.com)

*Counsel for Defendant City of Atlanta*

G. Brian Spears, Esq.

Jeff Filipovits, Esq.

Spears & Filipovits, LLC

315 W. Ponce de Leon Ave.

Suite 865

Decatur, GA 30030

[bspears@civil-rights.law](mailto:bspears@civil-rights.law)

[jeff@civil-rights.law](mailto:jeff@civil-rights.law)

*Counsel for Plaintiffs*

L. Chris Stewart, Esq.

Dianna J. Lee, Esq.

Stewart Miller Simmons Trial Attorneys

55 Ivan Allen Jr. Blvd., Suite 700

Atlanta, GA 30308

(844) 874-2500

[cstewart@smstrial.com](mailto:cstewart@smstrial.com)

[dlee@smstrial.com](mailto:dlee@smstrial.com)

*Counsel for Plaintiffs*

This 10<sup>th</sup> day of October, 2022.

CAROTHERS & MITCHELL, LLC

*/s/ Thomas M. Mitchell*

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THOMAS M. MITCHELL

Georgia Bar No. 513597

Attorneys for Defendant

1809 Buford Highway  
Buford, GA 30518  
(770) 932-3552  
(770) 932-6348 FAX  
Email: [thomas.mitchell@carmitch.com](mailto:thomas.mitchell@carmitch.com)